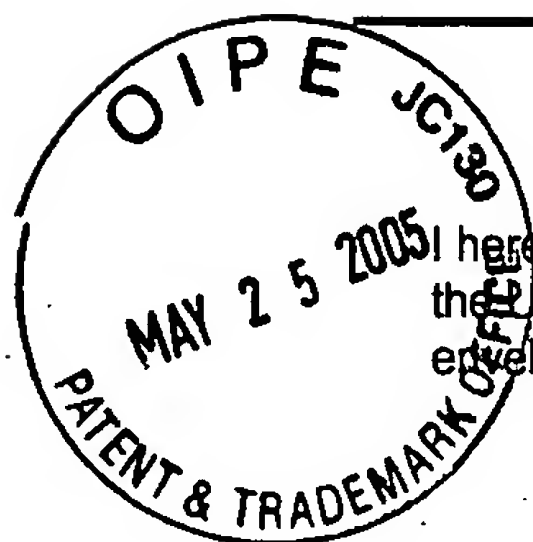


IFW/AT

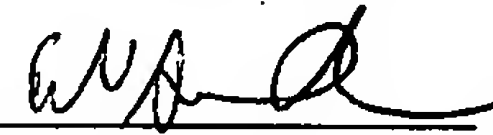


**CERTIFICATE OF MAILING**

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on May 23, 2005

  
Edward A. Squillante, Jr.  
Reg. No. 38,319  
Attorney for Applicant

May 23, 2005  
Date of Signature

**PATENT**

CASE #F6146(C)  
UNUS #02-0058-U/US

**RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP # 1761**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Farr et al.  
Serial No.: 10/081,575  
Filed: February 22, 2002  
For: Effervescent Beverage Product and Method for Drinking the Same  
Group: 1761  
Examiner: Robert Madsen  
Englewood Cliffs, New Jersey 07632

**AMENDMENT AND REPLY UNDER 37 CFR §1.116**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The following reply is responsive to the Office Action mailed February 23, 2005. Claims 1-21 were the claims originally presented for prosecution on the merits, and they are the claims that remain pending in the application. Reexamination and reconsideration of the subject application are respectfully requested.

Also, enclosed herewith, is a Notice of Appeal to the Board of Appeals and Patent Interferences.

UNITED STATES DEPT. OF COMMERCE  
Patent and Trademark Office

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Alexandria, VA 22313-1450"

on May 23, 2005

  
EDWARD A. SQUILLANTE, JR.  
Reg. No. 38,319  
Attorney for Applicant(s)

May 23, 2005  
Date of Signature



In re application of: Farr et al.  
Serial No.: 10/081,575  
Filed: February 22, 2002  
For: Effervescent Beverage Product and Method for Drinking the Same  
Group: 1761  
Examiner: Robert Madsen  
Englewood Cliffs, New Jersey 07632

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.  
[ ] No additional fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED

	(2) * Claims Remaining After Amendment		(4)** Highest No. Previously Paid For	(5) Present Extra	(6) Rate	(7) Additional Fee
Total Claims	21	Minus	21	—	\$ 50.00	—
Independent Claims	2	Minus	3	—	\$ 200.00	—
Multiple Claims					\$ 360.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$	0.00

\*If the entry in Column (2) is less than the entry in Column (4), write "0" in Column (5).

\*\*If the "Highest No. Previously Paid For" is less than "20," write "20" in this space.

[ ] Charge \$\_\_\_\_\_ to Deposit Acct. #12-1155. Triplicate copies of this letter are enclosed.  
[X] The Commissioner is hereby authorized to charge any additional fees, which may be required to our deposit account No. 12-1155, including all required fees under

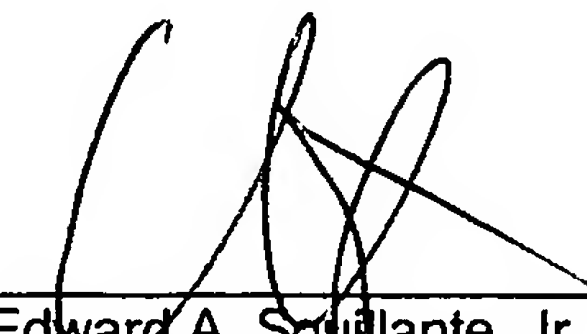
[X] 37 C.F.R. § 1.16;

[X] 37 C.F.R. § 1.17;

[X] 37 C.F.R. § 1.18.

Triplicate copies of this letter are enclosed.

EAS/pod  
(201) 894-2925

  
Edward A. Squillante, Jr.  
Attorney of Record  
Reg. #38,319